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(12) United States Plant Patent Barritt

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(54) APPLE TREE NAMED 'WA 2'

(50) Latin Name: *Malus domestica* Varietal Denomination: **WA 2**

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(CA)

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(51) **Int. Cl.**

A01H 5/00 (2006.01)

(52) U.S. Cl. Plt./161

(56) References Cited

U.S. PATENT DOCUMENTS

PP4,121 P 10/1977 Ten Hove PP7,880 P 6/1992 Cripps

OTHER PUBLICATIONS

The Apr. 24, 2007 Test Agreement for Testing Apple Selections and Cultivars Developed by Washington State University, between Washington State University and Pepin Heights Orchards, Inc., 5 pages. The Apr. 24/25, 2007 Test Agreement for Testing Apple Selections and Cultivars Developed by Washington State University, between Washington State University and Lynoaken Farms, Inc., 5 pages.

The Apr. 24/25, 2007 Test Agreement for Testing Apple Selections and Cultivars Developed by Washington State University, between Washington State University and Wittenbach Orchards, Inc., 5 pages. The Apr. 27, 2007 Test Agreement for Testing Apple Selections and Cultivars Developed at Washington State University, between Washington State University and Yakima Valley Orchards/Allan Bros. and Allan Bros., 8 pages.

The Apr. 27, 2007 Test Agreement for Testing Apple Selections and Cultivars Developed at Washington State University, between Washington State University and Crane & Crane, Inc., 8 pages.

The Apr. 27, 2007 Test Agreement for Testing Apple Selections and Cultivars Developed at Washington State University, between Washington State University and Columbia Fruit Packers, Inc., 8 pages. The Apr. 27, 2007 Test Agreement for Testing Apple Selections and Cultivars Developed at Washington State University, between Washington State University and Stemilt Growers, Inc. and Highway 28, LLC. 8 pages

The Apr. 28, 2008 Test Agreement for Testing Apple Selections and Cultivars Developed at Washington State University, between Washington State University and Crane & Crane, Inc., 7 pages.

The Apr. 28, 2008 Test Agreement for Testing Apple Selections and Cultivars Developed at Washington State University, between Washington State University and Stemilt Growers, Inc. and Highway 28, LLC, 8 pages.

The Jun. 7, 2007 Agreement to Propagate and Distribute for Test Purposes Only Washington State University Plant Selections and Cultivars, between Washington State University and Willow Drive Nursery, 7 pages.

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(57) ABSTRACT

A new and distinctive variety of an *Malus domestica* 'apple' tree, named 'WA 2', that is distinguished by its attractive blush, outstanding texture being firm, crisp and juicy, and the presence of the homozygous genes for ethylene production ACS1-2/2 and ACO1-2/2 which contribute to maintaining the fruit quality over long periods of storage.

4 Drawing Sheets

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Latin name of the genus and species of the claimed plant

Botanical/commercial classification: Malus domestica/ 5 apple tree

Varietals denomination: 'WA 2' seedling designation T19-17-3-9427

The invention refers to a new plant variety of apple tree (*Malus domestica*) named 'WA 2'. This new variety is distinguished by the distinctive blush of its fruit, with the texture being firm, crisp and juicy even after 60 days of regular cold storage due to the presence of the homozygous genes for ethylene production, ACS1-2/2 and ACO1-2/2.

BACKGROUND OF THE INVENTION

'WA 2' (seedling designation T19-17-3-9427) originated from a seed collected in 1994 from fruit of the 'Splendour' cultivar. The male parent is 'Gala'. The germinated seedling

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was grown in a greenhouse at Wenatchee, Wash. during the summer of 1995. In September 1995, a bud from the seedling was budded to M9 rootstock and the resulting tree was planted in the evaluation orchard at Wenatchee, Wash. in the spring of 1997. Fruit from the originally budded 'WA 2' tree were evaluated in 2000 and 2001. Second generation trees were produced by chip-budding to M9 rootstock Fall of 2002 and the resulting trees planted at three locations in Washington State in 2004 near Chelan, Wash., Chelan County; near Wenatchee, Wash., Douglas County; and near Basin City, Wash., Franklin County. Fruit from the second generation trees at all three orchard locations were compared to that of the originally budded tree in 2005, 2006, 2007, and 2008, and found to be essentially similar to that of the originally budded tree.

SUMMARY OF THE INVENTION

'WA 2' is an attractive apple that is distinct in appearance from that of other commercially grown apples and has out-